LISTING OF THE CLAIMS

This listing of claims will replace all prior versions, and the listing of claims in the application.

Claims Listing:

1. (Withdrawn)   A transmission unit comprising:

an aggregation unit to aggregate in a buffer at least two small messages received from an upper layer into a packet and to provide said packet to a pending queue; and

a fireout unit to pass packets to a network device by selecting packets from said pending queue or said buffer depending on whether or not said pending queue is empty.

2. (Withdrawn)   A unit according to claim 1 and also comprising a reception monitor to indicate to fireout unit the status of reception of said packets.

3. (Withdrawn)   A unit according to claim 1 and wherein said fireout unit operates at a rate related to network congestion.

4. (Withdrawn)   A unit according to claim 3 and wherein said network congestion may be any one of the following: transmitter congestion, receiver congestion and congestion of network elements.

5. (Withdrawn)   A transmission unit comprising:

a transmitting network device;

means for adjusting the size of aggregated packets produced by said network device based at least on network congestion.

6. (Withdrawn) A transmission unit according to claim 5 and wherein said means for adjusting comprises:

an aggregation unit to aggregate in a buffer at least two small messages received from an upper layer into a packet and to provide said packet to a pending queue; and

a fireout unit to pass packets to a network drive, selecting them from said pending queue or said buffer depending on whether or not said pending queue is empty.

7. (Withdrawn) A unit according to claim 6 and also comprising a reception monitor to indicate to fireout unit the status of reception of said packets.

8. (Withdrawn) A unit according to claim 5 and wherein said network congestion may be any one of the following: transmitter congestion, receiver congestion and congestion of network elements.

9. (Withdrawn) A software product comprising:

a computer usable medium having computer readable program code means embodied therein for causing transmission of packets to a network, the computer readable program code means in said software product comprising:

computer readable program code means for causing a computer to aggregate in a buffer at least two small messages received from an upper layer into a packet and to provide said packet to a pending queue; and

computer readable program code means for causing the computer to pass packets to a network drive, selecting them from said pending queue or said buffer depending on whether or not said pending queue is empty.

10. (Withdrawn)   A product according to claim 9 and also comprising code means for causing a computer to indicate to said second code means the status of reception of said packets.

11. (Withdrawn)   A product according to claim 9 and wherein said second code means operates at a rate related to network congestion.

12. (Withdrawn)   A product according to claim 12 and wherein said network congestion may be any one of the following: transmitter congestion, receiver congestion and congestion of network elements.

13. (Currently Amended) A method comprising:

adjusting the size of aggregated data packets based at least on the congestion of a transmitting network device, and

transmitting partially aggregated data packets when said transmitting network device has no fully aggregated packets waiting to be transmitted.

14. (Currently Amended) A method according to claim 13 and wherein said adjusting comprises:

aggregating in a buffer at least two small messages received from an upper layer into a packet;

providing said packet fully aggregated packets from said buffer to a pending queue;

selecting fully aggregated packets from said pending queue or partially aggregated packets from said buffer depending on whether or not said pending queue is empty; and

passing said <u>selected</u> packets to ~~a~~ <u>said</u> network device~~; and~~

~~selecting said packets from said pending queue or said buffer depending on whether or not said pending queue is empty~~.

15. (Previously Presented) A method according to claim 14 and also comprising indicating a reception status for said packets.

16. (Original) A method according to claim 14 and wherein said passing operates at a rate related to network congestion.

17. (Currently Amended) A method according to claim 16 and wherein said <u>activity of said</u> network <u>device</u> ~~congestion~~ ~~may~~ <u>is affected</u> by any one of the following: transmitter congestion, receiver congestion and congestion of network elements.

18. (Currently Amended) A method comprising:

aggregating in a buffer at least two small messages received from an upper layer into a packet;

providing ~~said packet~~ <u>fully aggregated packets from said buffer</u> to a pending queue;

<u>selecting fully aggregated packets from said pending queue or partially aggregated packets from said buffer depending on whether or not said pending queue is empty; and</u>

passing said <u>selected</u> packets to a network device ~~; and~~

~~selecting said packets from said pending queue or said buffer depending on whether or not said pending queue is empty~~.

19. (Previously Presented) A method according to claim 18 and also comprising indicating a reception status for said packets.

20. (Canceled) A method according to claim 18 and wherein said passing operates at a rate related to network congestion.

21. (Currently Amended) A method according to claim 18 and wherein said <u>activity of said</u> network <u>device</u> ~~congestion~~ ~~may~~ <u>is affected</u> by any one of the following: transmitter congestion, receiver congestion and congestion of network elements.